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U.S.D.C. Atlanta

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

AUG 30 2005

LUTHER D. THOMAS, Clerk  
By: *J. Reed* Deputy Clerk

**CV 405-159**

EARL W. BROWN,

Plaintiff,

v.

JOHN E. POTTER,

Defendant.

CIVIL ACTION NO.

1:05-CV-00723-MHS

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation ("R&R"). Neither party filed objections to the R&R. After a de novo review of the record, the Court concludes that the R&R is correct. Accordingly, the Court ADOPTS the Magistrate Judge's R&R [#4]; GRANTS defendant's motion to transfer [#2]; and DIRECTS the Clerk to transfer this action to the United States District Court for the Southern District of Georgia.

IT IS SO ORDERED, this *29<sup>th</sup>* day of August, 2005.

**ATTEST: A TRUE COPY  
CERTIFIED THIS**

SEP 01 2005

Luther D. Thomas, Clerk  
By: *E. Rivera* Deputy Clerk

*[Signature]*  
Marvin H. Shoob, Senior Judge  
United States District Court  
Northern District of Georgia